

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 643

District and School Advisory Councils

**SPONSOR(S):** Jones

**TIED BILLS:**

**IDEN./SIM. BILLS:** SB 398

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	<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR</b>
1)	<u>PreK-12 Policy Committee</u>	<u>13 Y, 0 N, As CS</u>	<u>Paulson</u>	<u>Ahearn</u>
2)	<u>Economic Development Policy Committee</u>	<u></u>	<u></u>	<u></u>
3)	<u>Education Policy Council</u>	<u></u>	<u></u>	<u></u>
4)	<u>Full Appropriations Council on Education &amp; Economic Development</u>	<u></u>	<u></u>	<u></u>
5)	<u>Policy Council</u>	<u></u>	<u></u>	<u></u>

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**SUMMARY ANALYSIS**

A district school board must establish an advisory council for each school in the district and must develop procedures for the election and appointment of advisory council members.

Each school advisory council must include the school principal and a balanced number of teachers, education support employees, students, parents, and other business and community citizens. The council must reflect the ethnic, racial, and economic community which the school serves. Teachers, education support employees, students, and parents are elected by their peer groups at the school, and the district school board sets procedures for selecting business and community members.

A school advisory council is responsible for the final decision-making regarding implementation of the school's improvement and accountability plan. Each advisory council assists in the preparation and evaluation of the school improvement plan, assists in the preparation of the school's budget, and performs functions prescribed by the district school board (not to encompass any powers or duties reserved by law to the district school board).

The bill changes the law to require that a majority of the members of a school advisory council not be employed at the school, as opposed to the current law which requires that a majority of the school advisory council members not be employed by the school district. The bill provides greater flexibility in selecting the members of the school advisory council.

The bill does not appear to have any fiscal impact on state or local governments.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

A district school board must establish an advisory council for each school in the district and must develop procedures for the election and appointment of advisory council members.<sup>1</sup>

Each school advisory council must include the school principal and a balanced number of teachers, education support employees, students, parents, and other business and community citizens. The council must reflect the ethnic, racial, and economic community which the school serves. Teachers, education support employees, students, and parents are elected by their peer groups at the school, and the district school board sets procedures for selecting business and community members.<sup>2</sup>

A school advisory council is responsible for the final decision-making regarding implementation of the school's improvement and accountability plan.<sup>3</sup> Each advisory council assists in the preparation and evaluation of the school improvement plan, assists in the preparation of the school's budget, and performs functions prescribed by the district school board (not to encompass any powers or duties reserved by law to the district school board).<sup>4</sup>

In 2008, the Legislature passed a law which required a majority of the members of a school advisory council not be employed by the school district.<sup>5</sup> The law previously required that a majority of the members not be employed by the individual school.<sup>6</sup>

##### Effect of Proposed Changes

The bill changes the law to require that a majority of the members of a school advisory council not be employed at the school, as opposed to the current law which requires that a majority of the school

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<sup>1</sup> Section 1001.452(1)(a), F.S.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*; see also ss. 1001.42(18) (Implementation of school improvement and accountability) and 1008.345 (Implementation of state system of school improvement and education accountability), F.S.

<sup>4</sup> Section 1001.452(2), F.S.

<sup>5</sup> Section 5, Chapter 08-235, L.O.F.

<sup>6</sup> Section 1001.452(1), F.S. (2007).

advisory council members not be employed by the school district. The bill provides greater flexibility in selecting the members of the school advisory council.

**B. SECTION DIRECTORY:**

**Section 1:** Amends s. 1001.452; provides that a majority of the members of a school advisory council not be employed by the school.

**Section 2:** Provides an effective date of July 1, 2009.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

The bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on state government expenditures.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

The bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on local government expenditures.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to require a city or county to expend funds or take any action requiring the expenditure of funds. The bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

## C. DRAFTING ISSUES OR OTHER COMMENTS:

Department of Education comments:<sup>7</sup>

For the 2008-2009 school year, a bill (SB 1908) that passed in the 2008 Legislative Session which amended s. 1001.452(1)(a), F.S., and went into effect on July 1, 2008, requires each School Advisory Council to have the majority of its members be persons who are not employed by the school district. Schools are implementing the new requirement this year. Some schools are having a difficult time filling the required seats for parent representatives. The greatest impact of this section of SB 1908 has been the turning away of parents who are willing to serve on their child's SAC but are not considered eligible because they are employed in some capacity by the local school board and thus would be "counted" as a "district employee." Schools have worked hard to have a majority of non-school district employees serving on their School Advisory Councils in order to meet state compliance. In some communities, the school board is the largest employer.

## IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 18, 2009, the PreK-12 Policy Committee met and adopted 1 amendment to HB 643 and reported the bill favorably as a Committee Substitute (CS). The CS differs from the bill in that it provides that the majority of the members of a school advisory council not be employed *at* the school, as opposed to *by* the school.

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<sup>7</sup> Analysis of HB 643, Florida Department of Education, February 18, 2009.